UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,257	06/01/2001	Conor P. Morrison	207497	4738

23460   7590   10/05/2004

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
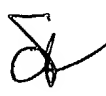180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

EXAMINER
NGUYEN, VAN H

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _1_ MONTH(S) FROM
> THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01 June 2001_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-65_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) _1-65_ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-65 are presented for examination.

2.   Applicant's Attorney, Mr. Thomas Wong (Reg. No. 48,577), was contacted on

September 24, 2004 regarding the restriction requirement below. Mr. Thomas Wong

requested that a written restriction be made and did not elect any grouping during the

phone interview.

Election/Restrictions

3.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Claims 1-39, drawn to a method for a first process running on a computing

device to communicate with a second process, the method comprising: creating a process

table on the computing device; rendering the process table accessible to the first process;

associating a Universally Unique Identifier (UUID) with the second process; creating an

entry for the second process in the process table; associating the UUID of the second

process with the process entry for the second process in the process table; specifying a

communications task to perform; and using the UUID of the second process to specify

that the communications task be performed with respect to the second process, classified

in class 719, subclass 310.

II.   Claims 40-53, drawn to a computer-readable medium having stored

thereon a data structure, the data structure comprising: a first data field containing data

representing a UUID associated with a process; and a second data field containing data

representing a process identifier associated with the process by an operating system, class

707, subclass 100.

III.   Claims 54-56, drawn to a method for requesting an operating system to

create a new process, the method comprising: issuing a create process call with input

parameters comprising a type of the new process, a UUID, and a command line to

execute to initiate the new process; receiving, by the operating system, the create process

call, parsing the call to retrieve the input parameters, and executing the command line;

and issuing, by the operating system, an acknowledgement of the create process call with

acknowledgement parameters comprising a handle to information related to the new

process, classified in class 712, subclass 225.

IV.   Claims 57-60, drawn to a method for waiting for multiple processes to

achieve a status, the method comprising: issuing a wait for multiple processes call with

input parameters comprising a list of processes for which to wait, the status to achieve,

and a timeout period; receiving the wait for multiple processes call, parsing the call to

retrieve the input parameters, and periodically checking a heartbeat of processes in the

list of processes until all processes reach the status or reach a default status or until the

timeout period is passed; and issuing an acknowledgement of the wait for multiple

processes call with acknowledgement parameters comprising the status of the processes,

class 712, subclass 220.

V.   Claims 61-65, drawn to a method for retrieving information about a

process, the method comprising: issuing a get process information call with input

parameters comprising an identification of the process, a list of types of information to

retrieve, an identification of a computing device from which to retrieve the types of

information, and a resolve remote flag indicating whether the computing device should

query a remote computing device for the types of information if the process runs on a

remote computing device; receiving the get process information call, parsing the call to

retrieve the input parameters, and, if the process runs on a remote computing device and

if the resolve remote flag is set to TRUE, then requesting the information from the remote

computing device; and issuing an acknowledgement of the get process information call

with acknowledgement parameters comprising the types of information requested, class

712, subclass 214.

4.   Inventions I and II are related as subcombinations disclosed as usable together in

a single combination. The subcombinations are distinct from each other if they are shown

to be separately usable. In the instant case, invention I has separate utility such as a

method for a first process running on a computing device to communicate with a second

process, the method comprising: creating a process table on the computing device;

rendering the process table accessible to the first process; associating a Universally

Unique Identifier (UUID) with the second process; creating an entry for the second

process in the process table; associating the UUID of the second process with the process

entry for the second process in the process table; specifying a communications task to

perform; and using the UUID of the second process to specify that the communications

task be performed with respect to the second process. See MPEP § 806.05(d).

4.   Inventions I and III are related as subcombinations disclosed as usable together in

a single combination. The subcombinations are distinct from each other if they are shown

to be separately usable. In the instant case, invention I has separate utility such as a method for a first process running on a computing device to communicate with a second process, the method comprising: creating a process table on the computing device; rendering the process table accessible to the first process; associating a Universally Unique Identifier (UUID) with the second process; creating an entry for the second process in the process table; associating the UUID of the second process with the process entry for the second process in the process table; specifying a communications task to perform; and using the UUID of the second process to specify that the communications task be performed with respect to the second process. See MPEP § 806.05(d).

5.   Inventions I and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a method for a first process running on a computing device to communicate with a second process, the method comprising: creating a process table on the computing device; rendering the process table accessible to the first process; associating a Universally Unique Identifier (UUID) with the second process; creating an entry for the second process in the process table; associating the UUID of the second process with the process entry for the second process in the process table; specifying a communications task to perform; and using the UUID of the second process to specify that the communications task be performed with respect to the second process. See MPEP § 806.05(d).

6.   Inventions I and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a

method for a first process running on a computing device to communicate with a second

process, the method comprising: creating a process table on the computing device;

rendering the process table accessible to the first process; associating a Universally

Unique Identifier (UUID) with the second process; creating an entry for the second

process in the process table; associating the UUID of the second process with the process

entry for the second process in the process table; specifying a communications task to

perform; and using the UUID of the second process to specify that the communications

task be performed with respect to the second process. See MPEP § 806.05(d).

7.   Inventions II and III are related as subcombinations disclosed as usable together

in a single combination. The subcombinations are distinct from each other if they are

shown to be separately usable. In the instant case, invention II has separate utility such as

a computer-readable medium having stored thereon a data structure, the data structure

comprising: a first data field containing data representing a UUID associated with a

process; and a second data field containing data representing a process identifier

associated with the process by an operating system. See MPEP § 806.05(d).

8.   Inventions II and IV are related as subcombinations disclosed as usable together

in a single combination. The subcombinations are distinct from each other if they are

shown to be separately usable. In the instant case, invention II has separate utility such as

a computer-readable medium having stored thereon a data structure, the data structure

comprising: a first data field containing data representing a UUID associated with a

process; and a second data field containing data representing a process identifier

associated with the process by an operating system. See MPEP § 806.05(d).

9.   Inventions II and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a computer-readable medium having stored thereon a data structure, the data structure comprising: a first data field containing data representing a UUID associated with a process; and a second data field containing data representing a process identifier associated with the process by an operating system. See MPEP § 806.05(d).

10.   Inventions III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as a method for requesting an operating system to create a new process, the method comprising: issuing a create process call with input parameters comprising a type of the new process, a UUID, and a command line to execute to initiate the new process; receiving, by the operating system, the create process call, parsing the call to retrieve the input parameters, and executing the command line; and issuing, by the operating system, an acknowledgement of the create process call with acknowledgement parameters comprising a handle to information related to the new process. See MPEP § 806.05(d).

11.   Inventions III and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as a method for requesting an operating system to create a new process, the method comprising: issuing a create process call with input parameters comprising a type of the new process, a UUID, and a command line to execute to initiate the new process;

receiving, by the operating system, the create process call, parsing the call to retrieve the input parameters, and executing the command line; and issuing, by the operating system, an acknowledgement of the create process call with acknowledgement parameters comprising a handle to information related to the new process. See MPEP § 806.05(d).

12.   Inventions IV and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention IV has separate utility such as a method for waiting for multiple processes to achieve a status, the method comprising: issuing a wait for multiple processes call with input parameters comprising a list of processes for which to wait, the status to achieve, and a timeout period; receiving the wait for multiple processes call, parsing the call to retrieve the input parameters, and periodically checking a heartbeat of processes in the list of processes until all processes reach the status or reach a default status or until the timeout period is passed; and issuing an acknowledgement of the wait for multiple processes call with acknowledgement parameters comprising the status of the processes. See MPEP § 806.05(d).

13.   These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose.

14.   For example, the searches for the two inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following:

        (a) the Group I search (claims 1-39) would require use of search class 719, subclass 310 (which would not required for the groups II, III, IV, and V) .

(b) the Group II search (claims 40-53) would require use of search class 707,

subclass 100 (which would not require for the groups I, III, IV, and V).

c) the Group III search (claims 54-56) would require use of search class 712,

subclass 225 (which would not require for the groups I, II, IV, and V).

d) the Group IV search (claims 57-60) would require use of search class 712,

subclass 220 (which would not require for the groups I, II, III, and V).

e) the Group V search (claims 61-65) would require use of search class 712,

subclass 214 (which would not require for the groups I, II, III, and IV).

15.   Applicant is advised that the response to this requirement to be complete must

include an election of the invention to be examined even though the requirement is

traversed.

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VAN H. NGUYEN whose telephone number is (703)

306-5971. **After mid-October, 2004, the examiner can be reached at (571) 272-3765.**

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM.

The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703) 305-9678.

The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

VHN

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100